

EXHIBIT 7

TENANT BASED RENTAL ASSISTANCE PROGRAMS and HUD LEAD-BASED PAINT (LBP) REQUIREMENTS

Specific LBP requirements apply to Tenant-Based Rental Assistance projects when occupied by families or households with children under age six. These requirements apply to any unit in which children under age six reside, as well as all the common areas servicing the units, and any other areas used by unit residents and frequented by children under age six. TBRA units in which no children under age six reside are exempt from the LBP requirements.

Households receiving TBRA assistance and residing in housing constructed before 1978 must receive the lead hazard information pamphlet and all disclosure information.

For assistance to families or households that have one or more children under the age of six, the requirements are:

- ☒ notification
- ☒ lead hazard evaluation
- ☒ lead hazard reduction
- ☒ ongoing maintenance; and responding to children with environmental intervention blood lead levels.

Please contact the HOME program staff if you have questions about these requirements.

Lead-Based Paint Requirements for LBP work on pre-1978 housing units:

A. **Notification:**

- Grantees must distribute a lead hazard information pamphlet to a household prior to their renting a house or unit and receive acknowledgement of receipt. See **Exhibits 2-U** and **2-V** in Chapter 2 of the current HOME Administration Manual. (A current copy of the HOME Administration Manual can be obtained from MDOC's website at http://housing.mt.gov/Hous_HM.asp)
- Posting or delivering Notices of Lead Hazard Evaluation or Presumption and Lead Hazard Reduction Activity must be completed within 15 calendar days of the date when the lead hazard reduction work is completed.

B. **Lead Hazard Evaluation.** A visual assessment must be conducted during initial and periodic inspections by a person who is trained to detect deteriorated paint. The visual assessment must be completed prior to occupancy.

- **A visual assessment is not considered a method of lead hazard evaluation under this regulation. Therefore, a Notice of Lead Hazard**

Evaluation is not required after a visual assessment. However, grantees must provide a Notice of Lead Hazard Evaluation if they perform any paint testing or a risk assessment (for example, in response to a poisoned child.)

C. Lead Hazard Reduction. Deteriorated paint must be corrected using paint stabilization methods. Paint stabilization is complete when clearance is achieved. The stabilization or any deteriorated paint must be completed prior to occupancy. If the unit is already occupied, paint stabilization must be completed within 30 days of notification of the results of the visual assessment.

- **Safe Work Practices.** Safe work practices are required for all lead-based paint hazard reduction activities in tenant-based rental assistance units.
- **Clearance.** An EPA-certified LBP Risk Assessor or LBP Clearance Technician must assure the unit is safe for occupancy.
- **Permissible Delays.** A required LBP activity may be delayed for a reasonable time when weather conditions are unsuitable for conventional construction activities.

D. Ongoing Maintenance. The owner is required to incorporate ongoing maintenance into regular building operations if occupants receive tenant-based rental assistance.

E. Environmental Intervention Blood Lead Level Requirements:

- **Sharing and Comparing Information Quarterly.** The grantee must communicate with State and local health agencies to provide and receive identification information about children with environmental intervention blood lead levels.
 - Grantees must notify State and local health agencies of a child with an environmental intervention blood lead level within 5 days of notification.
 - Quarterly, the grantee must ask State and local health agencies for the addresses of children under the age of six with environmental intervention blood lead levels.
 - Quarterly, the grantee must report an updated list of units receiving assistance to the State and local health agencies.
 - The grantee must match information on environmental intervention blood lead level cases of children under six with names and addresses of families receiving Federal assistance for rental assistance under the grantee's program.
 - If there is a match in address, the grantee must follow the evaluation and lead hazard reduction procedures as if it had received the name of a child under age six with an environmental intervention blood lead level.

- **Responding to Notification of a Poisoned Child.** If the grantee administering the local program receives notice of a child under the age of six with an **environmental intervention blood lead level**, the grantee must conduct a lead hazard evaluation and implement reduction measures.
 - If the grantee receives information about a child under age six with an environmental intervention blood lead level from a non-medical health care provider, it must verify with the public health department or other related agency that the child has an environmental intervention blood lead level. If so, this information constitutes notification by the grantee.
- The grantee must conduct a risk assessment of the unit and common areas servicing that unit within 15 days of notification. They must also immediately provide the results of the risk assessment to the owner of the dwelling unit.
 - Evaluation is completed when the risk assessment report is received.
- Within 30 days after receiving the risk assessment report, the owner of the dwelling must complete lead hazard reduction activities – interim controls or abatement – on identified lead-based paint hazards.
 - Lead hazard reduction is completed when clearance is achieved.
 - If interim controls are the method used, the owner must conduct ongoing maintenance, and the grantee must continue periodic inspections.
- Notices of Lead Hazard Evaluation and Lead Hazard Reduction Activity must be provided or posted for the residents.
- If the grantee begins evaluation and lead hazard reduction activities after a child's blood level is tested but before being notified of the child with an environmental intervention blood lead level, the grantee must finish these activities but does not need to repeat them.
- If a child with an environmental intervention blood lead level moves before the grantee has completed the risk assessment and lead hazard reduction measures, the grantee must ensure that these measures are completed, and the unit must be certified free of lead-based paint hazards before the unit will be again eligible for TBRA.